

By Dev Gnanadev MK
Dev Gnanadev, M.D., Vice Chairman
Panel B

1 KAMALA D. HARRIS
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 STEVE DIEHL
Deputy Attorney General
4 State Bar No. 235250
2550 Mariposa Mall, Room 5090
5 Fresno, CA 93721
Telephone: (559) 477-1626
6 Facsimile: (559) 445-5106
Attorneys for Complainant

7
8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation and Petition to
11 Revoke Probation Against:

12 **CRAIG RICHARD WILDER, M.D.**
13 8484 Wilshire Blvd., Suite 700
Beverly Hills, CA 90211

14 Physician's and Surgeon's Certificate
15 No. A77700

16 Respondent.

Case No. 22-2010-210628

OAH No. 2012120541

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Kim Kirchmeyer (Complainant) is the Acting Executive Director of the Medical
22 Board of California (Board). She brought this action solely in her official capacity and is
23 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
24 Steve Diehl, Deputy Attorney General.

25 2. Respondent Craig Richard Wilder, M.D. (Respondent) is represented in this
26 proceeding by attorney Daniel V. Behesnilian, whose address is: 8484 Wilshire Blvd. Suite 700,
27 Beverly Hills, CA 90211.
28

1 3. On or about January 16, 2002, the Medical Board of California issued Physician's and
2 Surgeon's Certificate No. A77700 to Craig Richard Wilder, M.D. (Respondent). The Physician's
3 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
4 here and will expire on July 31, 2013, unless renewed.

5 **JURISDICTION**

6 4. Accusation and Petition to Revoke Probation No. 22-2010-210628 was filed before
7 the Board, and is currently pending against Respondent. The Accusation and Petition to Revoke
8 Probation and all other statutorily required documents were properly served on Respondent on
9 July 16, 2012. Respondent timely filed his Notice of Defense contesting the Accusation and
10 Petition to Revoke Probation.

11 5. A copy of Accusation and Petition to Revoke Probation No. 22-2010-210628 is
12 attached as exhibit A and incorporated herein by reference.

13 **ADVISEMENT AND WAIVERS**

14 6. Respondent has carefully read, fully discussed with counsel, and understands the
15 charges and allegations in Accusation and Petition to Revoke Probation No. 22-2010-210628.
16 Respondent has also carefully read, fully discussed with counsel, and understands the effects of
17 this Stipulated Settlement and Disciplinary Order.

18 7. Respondent is fully aware of his legal rights in this matter, including the right to a
19 hearing on the charges and allegations in the Accusation and Petition to Revoke Probation; the
20 right to be represented by counsel at his own expense; the right to confront and cross-examine the
21 witnesses against him; the right to present evidence and to testify on his own behalf; the right to
22 the issuance of subpoenas to compel the attendance of witnesses and the production of
23 documents; the right to reconsideration and court review of an adverse decision; and all other
24 rights accorded by the California Administrative Procedure Act and other applicable laws.

25 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
26 every right set forth above.

27 \\

28 \\

1 **CULPABILITY**

2 9. Respondent admits the truth of each and every charge and allegation in Accusation
3 and Petition to Revoke Probation No. 22-2010-210628.

4 10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to
5 discipline and he agrees to be bound by the Board's probationary terms as set forth in the
6 Disciplinary Order below.

7 **CONTINGENCY**

8 11. This stipulation shall be subject to approval by the Board. Respondent understands
9 and agrees that counsel for Complainant and the staff of the Board may communicate directly
10 with the Board regarding this stipulation and settlement, without notice to or participation by
11 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he
12 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board
13 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
14 the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this
15 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
16 be disqualified from further action by having considered this matter.

17 12. The parties understand and agree that facsimile copies of this Stipulated Settlement
18 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and
19 effect as the originals.

20 13. In consideration of the foregoing admissions and stipulations, the parties agree that
21 the Board may, without further notice or formal proceeding, issue and enter the following
22 Disciplinary Order:

23 **DISCIPLINARY ORDER**

24 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A77700 issued
25 to Respondent Craig Richard Wilder, M.D. (Respondent) is revoked. However, the revocation is
26 stayed and Respondent is placed on probation for one additional year beyond his prior four-year
27 grant of probation, for a total term of five years from the effective date of his prior discipline,
28 February 4, 2011. Probation is granted on the same terms and conditions as his prior grant of

06/05/13 05:08PM

The UPS Store 6075 - National Harbor, MD

+13017492096

1 probation, with the additional term that he pay in full the \$2500 administrative fine issued in
2 Citation Order 22-2010-210628, within 60 days of signing this stipulation.

3 ACCEPTANCE

4 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
5 discussed it with my attorney, Daniel V. Behesnilian. I understand the stipulation and the effect it
6 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
7 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
8 Decision and Order of the Board.

9
10 DATED: 6-5-2013 

CRAIG RICHARD WILDER, M.D.
Respondent

12 I concur with this stipulated settlement.

13
14 DATED: _____

Daniel V. Behesnilian
Attorney for Respondent

17 ENDORSEMENT

18 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
19 submitted for consideration by the Board.

20 Dated:

Respectfully submitted,

21 KAMALA D. HARRIS
22 Attorney General of California
23 ROBERT MCKIM BELL
Supervising Deputy Attorney General

24
25 STEVE DIEHL
26 Deputy Attorney General
Attorneys for Complainant

27 SF2012401708
28 95080439.doc

1 probation, with the additional term that he pay in full the \$2500 administrative fine issued in
2 Citation Order 22-2010-210628, within 60 days of signing this stipulation.

3 ACCEPTANCE

4 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
5 discussed it with my attorney, Daniel V. Behesnilian. I understand the stipulation and the effect it
6 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
7 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
8 Decision and Order of the Board.

9
10 DATED: _____

11 CRAIG RICHARD WILDER, M.D.
Respondent

12 I concur with this stipulated settlement.

13
14 DATED: 6-5-2013

15 Daniel V. Behesnilian
Attorney for Respondent

16
17 ENDORSEMENT

18 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
19 submitted for consideration by the Board.

20 Dated: 6/5/2013

21 Respectfully submitted,

22 KAMALA D. HARRIS
Attorney General of California
23 ROBERT MCKIM BELL
Supervising Deputy Attorney General

24 STEVE DIEHL
25 Deputy Attorney General
26 *Attorneys for Complainant*

27 SF2012401708
28 95080439.doc

Exhibit A

Accusation and Petition to Revoke Probation No. 22-2010-210628

1 KAMALA D. HARRIS
Attorney General of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 ESTHER H. LA
Deputy Attorney General
4 State Bar No. 160706
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5636
6 Facsimile: (415) 703-5480
Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO July 16, 2012
BY: J. L. L. L. ANALYST

7
8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation and Petition to
13 Revoke Probation Against:

Case No. 22-2010-210628

14 **CRAIG RICHARD WILDER, M.D.**
15 8484 Wilshire Blvd., Suite 700
16 Beverly Hills, CA 90211

**ACCUSATION AND PETITION TO
REVOKE PROBATION**

17 Physician's and Surgeon's Certificate
18 No. A 77700

Respondent.

19 Complainant alleges:

PARTIES

- 20 1. Linda K. Whitney (Complainant) brings this Accusation and Petition to Revoke
21 Probation solely in her official capacity as the Executive Director of the Medical Board of
22 California, Department of Consumer Affairs (Board).¹
23 2. On or about January 16, 2002, the Board issued Physician's and Surgeon's Certificate
24 Number A77700 to Craig Richard Wilder, M.D. (Respondent). The Physician's and Surgeon's
25 Certificate was in full force and effect at all times relevant to the charges brought herein and will
26 expire on July 31, 2013, unless renewed.

27 ¹ The term "Board" means the Medical Board of California; "Division of Medical
28 Quality" shall also be deemed to refer to the Board.

3. In a disciplinary action entitled “In the Matter of the Accusation Against Craig Richard Wilder, M.D.,” Case No. 11-2008-190045, the Board issued a Decision, effective February 4, 2011 (February 4, 2011 Board Decision), in which Respondent’s Physician’s and Surgeon’s Certificate was revoked. However, the revocation was stayed and Respondent was placed on probation for a period of four (4) years with certain terms and conditions. A copy of the February 4, 2011 Board Decision is attached hereto as Exhibit A and is incorporated by reference.

JURISDICTION

4. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 2004 of the Code states in relevant part:

“The board shall have the responsibility for the following:

“(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

“(b) The administration and hearing of disciplinary actions.

“(c) Carrying out disciplinary actions appropriate to findings made by a panel or an administrative law judge.

“(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.”

6. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Division deems proper.

7. Section 2234 of the Code states in relevant part:

“The Division of Medical Quality shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

1 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
2 violation of, or conspiring to violate any provision of this chapter [Chapter 5, the Medical
3 Practice Act].”

4 8. Section 125.9, subdivision (b)(5), provides that a licensee who has been issued a
5 citation and assessed an administrative fine, and who fails to pay the fine within 30 days of the
6 date of assessment, unless the citation is being appealed, may be subject to disciplinary action.

7 9. Section 2264 of the Code states:

8 “The employing, directly or indirectly, the aiding, or the abetting of any unlicensed person
9 or any suspended, revoked, or unlicensed practitioner to engage in the practice of medicine or any
10 other mode of treating the sick or afflicted which requires a license to practice constitutes
11 unprofessional conduct.”

12 10. The Board’s February 4, 2011 Decision contains the following provision [Condition
13 12]: “Failure to fully comply with any term or condition of probation is a violation of probation.
14 If Respondent violates probation in any respect, the Board, after giving Respondent notice and the
15 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
16 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
17 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
18 is final, and the period of probation shall be extended until the matter is final.”

19 CAUSE FOR DISCIPLINE

20 (Unprofessional Conduct for Failure to Comply with Citation Order)

21 11. Respondent is subject to disciplinary action under Code section 2234 and/or section
22 125.9 in that Respondent has failed to comply with a Citation Order. The circumstances are as
23 follows:

24 12. On or about October 18, 2011, the Board issued a Citation Order against Respondent
25 for aiding and abetting in the unlicensed practice of medicine by providing services for a clinic
26 owned by a layperson, in violation of Code section 2264. The Citation Order required
27 Respondent to cease and desist from aiding and abetting the unlicensed practice of medicine and
28 to pay an administrative fine in the amount of \$2,500.00 within 30 days of receipt of the Citation

1 Order unless Respondent appealed the Citation. The Citation Order was sent to Respondent's
2 then address of record via certified mail on October 18, 2011. The Citation Order was returned to
3 the Board as unclaimed.

4 13. On or about January 23, 2012, the Board sent via regular mail a warning letter to
5 Respondent at his then address of record advising him that failure to comply with the Citation
6 Order would result in disciplinary action being taken against his license.

7 14. On or about February 10, 2012, the Board sent via certified mail a second warning
8 letter to Respondent at his updated address of record advising him that failure to comply with the
9 Citation Order would result in disciplinary action being taken against his license.

10 15. Respondent did not appeal the Citation Order or pay the administrative fine required
11 under the Citation Order.

12 16. Respondent has failed to comply with the Citation Order.

13 CAUSE TO REVOKE PROBATION

14 (Failure to Obey All Laws)

15 17. Paragraphs 12 through 16 are incorporated herein by reference as if fully set forth.

16 18. At all times after the effective date of Respondent's probation, Condition 5 of the
17 Board's Decision stated: "Respondent shall obey all federal, state and local laws, all rules
18 governing the practice of medicine in California, and remain in full compliance with any court
19 ordered criminal probation, payments and other orders."

20 19. Respondent's failure to comply with the Citation Order constitutes a violation of
21 probation under Conditions 5 and 12 of the February 4, 2011 Board Decision. Therefore, cause
22 exists to impose the disciplinary order of revocation that was stayed.

23 PRAYER

24 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
25 and that following the hearing, the Medical Board of California issue a decision:

26 1. Revoking or suspending Physician's and Surgeon's Certificate Number A77700,
27 issued to Craig Richard Wilder, M.D.;

1 2. Revoking the probation that was granted by the Medical Board of California in Case
2 No. 11-2008-190045 and imposing the disciplinary order that was stayed, a revocation of Craig
3 Richard Wilder, M.D.'s license;

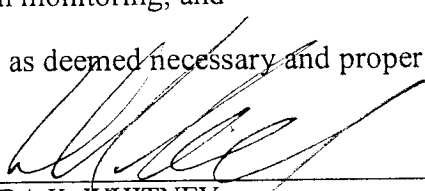
4 3. Revoking, suspending or denying approval of Craig Richard Wilder, M.D.'s authority
5 to supervise physician assistants, pursuant to section 3527 of the Code;

6 4. Ordering Craig Richard Wilder, M.D. to pay the Medical Board of California, if
7 placed on probation, to pay the costs of probation monitoring; and

8 5. Taking such other and further action as deemed necessary and proper.

9 July 16, 2012

10 DATED: _____



LINDA K. WHITNEY
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

14 SF2012401708
15 40560916.doc

Exhibit A

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

CRAIG RICHARD WILDER, M.D.

Physician's and Surgeon's
Certificate No. A77700

Respondent.

File No. 11-2008-190045

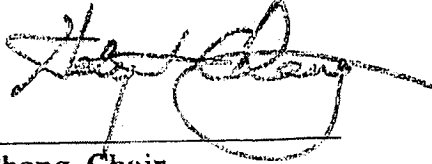
DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Medical Board of California, Department of Consumer Affairs, State of California, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on February 4, 2011.

IT IS SO ORDERED January 5, 2011.

MEDICAL BOARD OF CALIFORNIA


By: _____
Hedy Chang, Chair
Panel B

1 EDMUND G. BROWN JR.
Attorney General of California
2 PAUL C. AMENT
Supervising Deputy Attorney General
3 RICHARD D. MARINO
Deputy Attorney General
4 State Bar No. 90471
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-8644
6 Facsimile: (213) 897-9395
E-mail: Richard.Marino@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **CRAIG RICHARD WILDER, M.D.**
13 **2510 Moores Plains Blvd.**
Upper Marlboro, MD 20774

14 **Physician's and Surgeon's Certificate No. A**
15 **77700**

16 Respondent.

Case No. 11-2008-190045

OAH No. L-2010071224

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

17
18
19 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Linda K. Whitney (Complainant) is the Executive Director of the Medical Board of
23 California. She brought this action solely in her official capacity and is represented in this matter
24 by Edmund G. Brown Jr., Attorney General of the State of California, by Richard D. Marino,
25 Deputy Attorney General.

26 2. Respondent CRAIG RICHARD WILDER, M.D. (Respondent) is represented in this
27 proceeding by attorney Daniel V. Behesnlian, whose address is: 8665 Wilshire Blvd., Suite 410
28 Beverly Hills, CA 90211-2931

1 3. On or about January 16, 2002, the Medical Board of California issued Physician and
2 Surgeon's Certificate No. A 77700 to CRAIG RICHARD WILDER, M.D. (Respondent). The
3 Physician and Surgeon's Certificate was in full force and effect at all times relevant to the charges
4 brought in Accusation No. 11-2008-190045 and will expire on July 31, 2011, unless renewed.

5 **JURISDICTION**

6 4. Accusation No. 11-2008-190045 was filed before the Medical Board of California
7 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The
8 Accusation and all other statutorily required documents were properly served on Respondent on
9 June 21, 2010. Respondent timely filed his Notice of Defense contesting the Accusation. A copy
10 of Accusation No. 11-2008-190045 is attached as exhibit A and incorporated herein by reference.

11 **ADVISEMENT AND WAIVERS**

12 5. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in Accusation No. 11-2008-190045. Respondent has also carefully read,
14 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
15 Disciplinary Order.

16 6. Respondent is fully aware of his legal rights in this matter, including the right to a
17 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
18 his own expense; the right to confront and cross-examine the witnesses against him; the right to
19 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
20 the attendance of witnesses and the production of documents; the right to reconsideration and
21 court review of an adverse decision; and all other rights accorded by the California
22 Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
24 every right set forth above.

25 **CULPABILITY**

26 8. Respondent admits the truth of each and every charge and allegation in Accusation
27 No. 11-2008-190045.
28

1 9. Respondent agrees that his Physician and Surgeon's Certificate is subject to discipline
2 and he agrees to be bound by the Medical Board of California (Board)'s imposition of discipline
3 as set forth in the Disciplinary Order below.

4 **CONTINGENCY**

5 10. This stipulation shall be subject to approval by the Medical Board of California.
6 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
7 Board of California may communicate directly with the Board regarding this stipulation and
8 settlement, without notice to or participation by Respondent or his counsel. By signing the
9 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
10 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
11 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
12 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
13 action between the parties, and the Board shall not be disqualified from further action by having
14 considered this matter.

15 11. The parties understand and agree that facsimile copies of this Stipulated Settlement
16 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and
17 effect as the originals.

18 12. In consideration of the foregoing admissions and stipulations, the parties agree that
19 the Board may, without further notice or formal proceeding, issue and enter the following
20 Disciplinary Order:

21 **DISCIPLINARY ORDER**

22 **IT IS HEREBY ORDERED** that Physician and Surgeon's Certificate No. A 77700 issued
23 to Respondent CRAIG RICHARD WILDER, M.D. (Respondent) is revoked. However, the
24 revocation is stayed and Respondent is placed on probation for four (4) years on the following
25 terms and conditions.

26 1. **ETHICS COURSE** Within 60 calendar days of the effective date of this Decision,
27 respondent shall enroll in a course in ethics, at Respondent's expense, approved in advance by the
28

1 Division¹ or its designee. Failure to successfully complete the course during the first year of
2 probation is a violation of probation.

3 An ethics course taken after the acts that gave rise to the charges in the Accusation, but
4 prior to the effective date of the Decision may, in the sole discretion of the Division or its
5 designee, be accepted towards the fulfillment of this condition if the course would have been
6 approved by the Division or its designee had the course been taken after the effective date of this
7 Decision.

8 Respondent shall submit a certification of successful completion to the Division or its
9 designee not later than 15 calendar days after successfully completing the course, or not later than
10 15 calendar days after the effective date of the Decision, whichever is later.

11 2. MONITORING - BILLING Within 30 calendar days of the effective date of this
12 Decision, Respondent shall submit to the Division or its designee for prior approval as a billing
13 monitor, the name and qualifications of one or more licensed physicians and surgeons whose
14 licenses are valid and in good standing, and who are preferably American Board of Medical
15 Specialties (ABMS) certified. A monitor shall have no prior or current business or personal
16 relationship with Respondent, or other relationship that could reasonably be expected to
17 compromise the ability of the monitor to render fair and unbiased reports to the Division,
18 including, but not limited to, any form of bartering, shall be in Respondent's field of practice, and
19 must agree to serve as Respondent's monitor. Respondent shall pay all monitoring costs.

20 The Division or its designee shall provide the approved monitor with copies of the
21 Decision(s) and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of
22 receipt of the Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit
23 a signed statement that the monitor has read the Decision(s) and Accusation(s), fully understands
24 the role of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor

25
26 ¹ California Business and Professions Code section 2002, as amended and effective
27 January 1, 2008, provides that, unless otherwise expressly provided, the term "Board" as used in
28 the State Medical Practice Act (Cal. Bus. & Prof. Code, §§ 2000, et seq.) means the "Medical
Board of California," and references to the "Division of Medical Quality" and "Division of
Licensing" in the Act or any other provision of law shall be deemed to refer to the Board.

1 disagrees with the proposed monitoring plan, the monitor shall submit a revised monitoring plan
2 with the signed statement.

3 Within 60 calendar days of the effective date of this Decision, and continuing throughout
4 probation, Respondent's billing shall be monitored by the approved monitor. Respondent shall
5 make all records available for immediate inspection and copying on the premises by the monitor
6 at all times during business hours, and shall retain the records for the entire term of probation.

7 The monitor(s) shall submit a quarterly written report to the Division or its designee which
8 includes an evaluation of Respondent's performance, indicating whether Respondent's practices
9 are within the standards of practice of medicine or billing, or both, and whether Respondent is
10 practicing medicine safely, billing appropriately or both.

11 It shall be the sole responsibility of Respondent to ensure that the monitor submits the
12 quarterly written reports to the Division or its designee within 10 calendar days after the end of
13 the preceding quarter.

14 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
15 such resignation or unavailability, submit to the Division or its designee, for prior approval, the
16 name and qualifications of a replacement monitor who will be assuming that responsibility within
17 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60 days
18 of the resignation or unavailability of the monitor, Respondent shall be suspended from the
19 practice of medicine until a replacement monitor is approved and prepared to assume immediate
20 monitoring responsibility. Respondent shall cease the practice of medicine within 3 calendar
21 days after being so notified by the Division or designee.

22 In lieu of a monitor, Respondent may participate in a professional enhancement program
23 equivalent to the one offered by the Physician Assessment and Clinical Education Program at the
24 University of California, San Diego School of Medicine, that includes, at minimum, quarterly
25 chart review, semi-annual practice assessment, and semi-annual review of professional growth
26 and education. Respondent shall participate in the professional enhancement program at
27 Respondent's expense during the term of probation.

28 Failure to maintain all records, or to make all appropriate records available for immediate

1 inspection and copying on the premises, or to comply with this condition as outlined above is a
2 violation of probation.

3 3. NOTIFICATION Prior to engaging in the practice of medicine, Respondent shall
4 provide a true copy of the Decision(s) and Accusation(s) to the Chief of Staff or the Chief
5 Executive Officer at every hospital where privileges or membership are extended to Respondent,
6 at any other facility where Respondent engages in the practice of medicine, including all
7 physician and locum tenens registries or other similar agencies, and to the Chief Executive
8 Officer at every insurance carrier which extends malpractice insurance coverage to respondent.
9 Respondent shall submit proof of compliance to the Division or its designee within 15 calendar
10 days.

11 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

12 4. SUPERVISION OF PHYSICIAN ASSISTANTS During probation, Respondent
13 prohibited from supervising physician assistants.

14 5. OBEY ALL LAWS Respondent shall obey all federal, state and local laws, all rules
15 governing the practice of medicine in California, and remain in full compliance with any court
16 ordered criminal probation, payments and other orders.

17 6. QUARTERLY DECLARATIONS Respondent shall submit quarterly declarations
18 under penalty of perjury on forms provided by the Board, stating whether there has been
19 compliance with all the conditions of probation. Respondent shall submit quarterly declarations
20 not later than 10 calendar days after the end of the preceding quarter.

21 7. PROBATION UNIT COMPLIANCE Respondent shall comply with the Board's
22 probation unit. Respondent shall, at all times, keep the Board informed of Respondent's business
23 and residence addresses. Changes of such addresses shall be immediately communicated in
24 writing to the Board or its designee. Under no circumstances shall a post office box serve as an
25 address of record, except as allowed by Business and Professions Code section 2021(b).

26 Respondent shall not engage in the practice of medicine in Respondent's place of residence.
27 Respondent shall maintain a current and renewed California physician's and surgeon's license.

28 Respondent shall immediately inform the Board, or its designee, in writing, of travel to any

1 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than 30
2 calendar days.

3 8. INTERVIEW WITH THE BOARD, OR ITS DESIGNEE Respondent shall be
4 available in person for interviews either at Respondent's place of business or at the probation unit
5 office, with the Board or its designee, upon request at various intervals, and either with or without
6 prior notice throughout the term of probation.

7 9. RESIDING OR PRACTICING OUT-OF-STATE In the event Respondent should
8 leave the State of California to reside or to practice, Respondent shall notify the Division or its
9 designee in writing 30 calendar days prior to the dates of departure and return. Non-practice is
10 defined as any period of time exceeding 30 calendar days in which Respondent is not engaging in
11 any activities defined in Sections 2051 and 2052 of the Business and Professions Code.

12 All time spent in an intensive training program outside the State of California which has
13 been approved by the Division or its designee shall be considered as time spent in the practice of
14 medicine within the State. A Board-ordered suspension of practice shall not be considered as a
15 period of non-practice. Periods of temporary or permanent residence or practice outside
16 California will not apply to the reduction of the probationary term. Periods of temporary or
17 permanent residence or practice outside California will relieve Respondent of the responsibility to
18 comply with the probationary terms and conditions with the exception of this condition and the
19 following terms and conditions of probation: Obey All Laws and Probation Unit Compliance.

20 Respondent's license shall be automatically cancelled if Respondent's periods of temporary
21 or permanent residence or practice outside California total two years. However, Respondent's
22 license shall not be cancelled as long as Respondent is residing and practicing medicine in
23 another state of the United States and is on active probation with the medical licensing authority
24 of that state, in which case the two year period shall begin on the date probation is completed or
25 terminated in that state.

26 10. FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT

27 In the event Respondent resides in the State of California and for any reason respondent
28 stops practicing medicine in California, Respondent shall notify the Division or its designee in

1 writing within 30 calendar days prior to the dates of non-practice and return to practice. Any
2 period of non-practice within California, as defined in this condition, will not apply to the
3 reduction of the probationary term and does not relieve respondent of the responsibility to comply
4 with the terms and conditions of probation. Non-practice is defined as any period of time
5 exceeding 30 calendar days in which Respondent is not engaging in any activities defined in
6 sections 2051 and 2052 of the Business and Professions Code.

7 All time spent in an intensive training program which has been approved by the Division or
8 its designee shall be considered time spent in the practice of medicine. For purposes of this
9 condition, non-practice due to a Board-ordered suspension or in compliance with any other
10 condition of probation, shall not be considered a period of non-practice.

11 Respondent's license shall be automatically cancelled if Respondent resides in California
12 and for a total of two years, fails to engage in California in any of the activities described in
13 Business and Professions Code sections 2051 and 2052.

14 11. COMPLETION OF PROBATION Respondent shall comply with all financial
15 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
16 completion of probation. Upon successful completion of probation, Respondent's certificate shall
17 be fully restored.

18 12. VIOLATION OF PROBATION Failure to fully comply with any term or condition
19 of probation is a violation of probation. If Respondent violates probation in any respect, the
20 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
21 carry out the disciplinary order that was stayed. If an Accusation, Petition to Revoke Probation,
22 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
23 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
24 the matter is final.

25 13. LICENSE SURRENDER Following the effective date of this Decision, if
26 Respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy
27 the terms and conditions of probation, Respondent may request the voluntary surrender of
28 Respondent's license. The Board reserves the right to evaluate Respondent's request and to

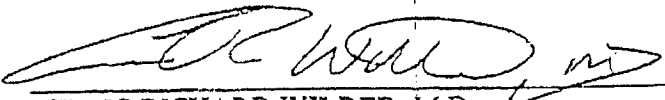
1 exercise its discretion whether or not to grant the request, or to take any other action deemed
2 appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender,
3 Respondent shall within 15 calendar days deliver Respondent's wallet and wall certificate to the
4 Board or its designee and Respondent shall no longer practice medicine. Respondent will no
5 longer be subject to the terms and conditions of probation and the surrender of Respondent's
6 license shall be deemed disciplinary action. If Respondent re-applies for a medical license, the
7 application shall be treated as a petition for reinstatement of a revoked certificate.

8 14. PROBATION MONITORING COSTS Respondent shall pay the costs associated
9 with probation monitoring each and every year of probation. Such costs shall be payable to the
10 Medical Board of California and delivered to the Board or its designee no later than January 31
11 of each calendar year. Failure to pay costs within 30 calendar days of the due date is a violation
12 of probation.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ACCEPTANCE


I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Daniel V. Behesnilian. I understand the stipulation and the effect it will have on my Physician and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 10-21-2010


CRAIG RICHARD WILDER, M.D.
Respondent

I have read and fully discussed with Respondent CRAIG RICHARD WILDER, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 10-22-2010


DANIEL V. BEHESNILIAN
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: Oct. 21, 2010

Respectfully Submitted,

EDMUND G. BROWN JR.
Attorney General of California
PAUL C. AMENT
Supervising Deputy Attorney General



RICHARD D. MARINO
Deputy Attorney General
Attorneys for Complainant

LA2010501815
50762578.doc

Exhibit A

Accusation No. 11-2008-190045

1 EDMUND G. BROWN JR.
Attorney General of California
2 PAUL C. AMENT
Supervising Deputy Attorney General
3 RICHARD D. MARINO
Deputy Attorney General
4 State Bar No. 90471
300 South Spring Street, Suite 1702
5 Los Angeles, California 90013
Telephone: (213) 897-8644
6 Facsimile: (213) 897-9395
E-mail: Richard.Marino@doj.ca.gov
7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO June 21, 2010
BY: [Signature] ANALYST

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 11-2008-190045

CRAIG RICHARD WILDER, M.D.
2510 Moores Plains Blvd.
Upper Marlboro, M.D. 20774

ACCUSATION

Physician's and Surgeon's
Certificate Number A 77700

Respondent.

Complainant alleges:

PARTIES

1. Linda K. Whitney (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On or about January 16, 2002, the Board issued Physician's and Surgeon's Certificate Number A 77700 to Craig Richard Wilder, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2011, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Division deems proper.

5. Section 2234 of the Code states:

"The Division of Medical Quality¹] shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

"...

"(e) The commission of any act involving dishonesty or corruption which is substantially related to the qualifications, functions, or duties of a physician and surgeon.

"...."

6. Section 2236 of the Code states:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

"(b) The district attorney, city attorney, or other prosecuting agency shall notify the Medical Board of California of the pendency of an action against a licensee charging a felony or misdemeanor immediately upon obtaining information that the defendant is a

¹ California Business and Professions Code section 2002, as amended and effective January 1, 2008, provides that, unless otherwise expressly provided, the term "board" as used in the State Medical Practice Act (Cal. Bus. & Prof. Code, §§ 2000, etc. seq.) means the "Medical Board of California," and references to the "Division of Medical Quality" and "Division of Licensing" in the Act or any other provision of law shall be deemed to refer to the Board.

1 licensee. The notice shall identify the licensee and describe the crimes charged and the
2 facts alleged. The prosecuting agency shall also notify the clerk of the court in which the
3 action is pending that the defendant is a licensee, and the clerk shall record prominently in
4 the file that the defendant holds a license as a physician and surgeon.

5 “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48
6 hours after the conviction, transmit a certified copy of the record of conviction to the board.
7 The division may inquire into the circumstances surrounding the commission of a crime in
8 order to fix the degree of discipline or to determine if the conviction is of an offense
9 substantially related to the qualifications, functions, or duties of a physician and surgeon.

10 “(d) A plea or verdict of guilty or a conviction after a plea of *nolo contendere* is
11 deemed to be a conviction within the meaning of this section and Section 2236.1. The
12 record of conviction shall be conclusive evidence of the fact that the conviction occurred.”

13 14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Criminal Conviction)**

16 7. Respondent is subject to disciplinary action under Business and Professions Code
17 section 2236 in that he has sustained a criminal conviction for four (4) offenses which under the
18 facts and circumstances of its commission is substantially related to the qualifications, functions,
19 or duties, of a physician and surgeon, as follows:

20 A. On or about February 1, 2008, in a criminal complaint entitled *People of the*
21 *State of California v. Craig Richard Wilder*, Los Angeles County Superior Court Case
22 No.SA066721, Respondent was charged with perjury, in violation of Penal Code section 118, a
23 felony (Count 1); health benefits fraud, in violation of Penal Code section 550, a felony (Count
24 2); grand theft, in violation of Penal Code section 487, felonies (Counts 3 and 4); and, failure to
25 file tax returns, in violation of Revenue and Taxation Code section 19706, felonies (Counts 5, 6
26 and 7). The acts underlying each of the seven charged offenses were part of Respondent's
27 scheme to defraud Medicare and Medi-Cal by fraudulently obtaining five separate provider
28

1 numbers for himself without disclosing that a provider number previously issued to him had been
2 suspended.

3 B. On or about April 4, 2008, pursuant to a negotiated plea agreement, Respondent
4 entered pleas of *nolo contendere* to the offenses charged in Counts 2, 3, 4, and 5 with the
5 remaining offenses charged in Counts 1, 6 and 7 dismissed in the furtherance of justice, pursuant
6 to Penal Code section 1385. The plea agreement was then sealed. Sentencing was continued
7 until October 17, 2008; and, on that date, until June 5, 2009.

8 C. On or about June 5, 2009, the Court ordered that each offense in the criminal
9 complaint entitled *People of the State of California v. Craig Richard Wilder*, Los Angeles County
10 Superior Court Case No.SA066721 to which Respondent entered pleas of *nolo contendere* be
11 deemed a misdemeanor. Imposition of sentence was suspended. Respondent was placed on
12 summary probation for 36 months.

13 14 SECOND CAUSE FOR DISCIPLINE

15 (Dishonest or Corrupt Acts)

16 8. Respondent is subject to disciplinary action under Business and Professions Code
17 section 2234, subdivision (e), in that he committed dishonest or corrupt acts, as follows:

18 A. Respondent refers to and, by this reference, incorporates herein Paragraph 7,
19 above, as though fully set forth.

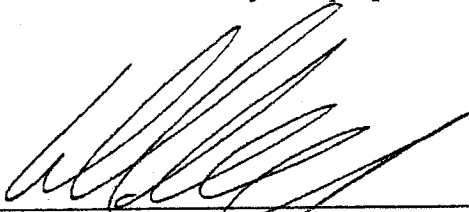
20
21
22
23
24
25
26
27
28 //

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 77700 issued to Craig Richard Wilder, M.D..
2. Revoking, suspending or denying approval of Craig Richard Wilder, M.D.'s authority to supervise physician assistants, pursuant to Section 3527 of the Code;
3. Ordering Craig Richard Wilder, M.D. to pay the Medical Board of California, if placed on probation, the costs of probation monitoring; and,
4. Taking such other and further action as deemed necessary and proper.

DATED: June 21, 2010.


LINDA K. WHITNEY
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant

LA2009508845
50648465.docx